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Journal of the Society of Arts.

FRIDAY, MAY 4, 1855.

TWENTIETH ORDINARY MEETING.

WEDNESDAY, MAY 2, 1855.

The Twentieth Ordinary Meeting of the One Hundred and First Session, was held on Wednesday, the 2nd inst., E. Carleton Tufnell, Esq., in the Chair.

The following Candidates were balloted for and duly elected :—

Atherton, Charles	Hinks, John
Avery, John	Melton, Alfred
Boxer, Captain Edward	Mondel, Joseph
Mounier, R.A.	Temple, Hon. R.
Campbell, James	

The following Institution has been taken into Union since the last announcement :—

389. Melbourne (Derbyshire) Mechanics' Institution.

The paper read was

ON JUVENILE CRIME AS IT AFFECTS COMMERCE, AND THE BEST MEANS OF REPRESSING IT.

By JELINGER SYMONS, B.A., ONE OF HER MAJESTY'S INSPECTORS OF SCHOOLS.

That public morals largely affect the welfare of industry and commerce will be readily admitted. The same reasons which determine us to select honest, sober, and trustful servants prompt the employers of labour, and make it their interest to moralise the working classes. Apart from actual losses by theft, the demoralisation of workmen causes a loss in the value of labour, which cannot be estimated at less than many millions per annum. Bodily inertness, carelessness, indolence, unskillfulness, and waste, are among the many results of lax morals, all of them preying upon and forming drawbacks to the productive power of the country, from which all social as well as industrial interests necessarily suffer. I believe it to be capable of demonstration, that this country loses far more every year by the vice of drunkenness alone, than the whole amount of the taxes. Though illustrations of a principle so obviously true are scarcely needed, I may refer to Switzerland, as a remarkable instance of the commercial prosperity which may be attained by the combined morality and skill of a people who seem to have been almost divested by nature of the physical elements which most of all minister to productive wealth. It may be said, that artistic and productive energies and success are dependent far more on industry than on morals; but I apprehend that as a general rule these are inseparably linked together, and that a workman, no matter in what handicraft, combining diligence and demoralisation as his characteristics, if such an one exists, is an individual anomaly, and not a specimen of a class large enough in the slightest degree to affect my position. It may be less obvious that this principle touches the immediate question I have ventured to submit to your attention on this evening, namely, the treatment of juvenile criminals. But if demoralisation injures the vital powers of industry, and commerce suffers with them, commerce is clearly concerned in uprooting the sources of crime, and, therefore, in the reformation of juvenile criminals; for who are juvenile offenders but those who people the nursery and form the brood of future crime. I am speaking less now of the actual effect of crimes on commerce than of the widely extending contagion and demoralisation which result from

the existence (especially in town communities) of a criminal class. Not only does that class deteriorate all who come within its contact and companionship, but the very frequency of crimes, and the minor violations of order and decency, render the neighbourhood familiar with their commission, which familiarity is itself demoralising, and so the circle spreads. And I may here remark that the contagious influence of bad morals and examples is never so effective or disastrous as among children.

Allow me in the next place to call your attention to the direct loss of property by one sort of crime, that which constitutes almost the entire criminality of the juvenile classes, namely, theft.

It is a well-known fact, frequently stated by the most experienced and best-informed witnesses, many of whom have recently deposed to it before the Committee of the House of Commons on this subject, that in most large towns there exists a distinct class of young persons and children regularly trained and educated in the art of depredation. Not only in London, but throughout the country, the craft of pocket-picking is taught, practised, and carried on, almost as systematically and artistically as any honest vocation; and the evidence abounds that our common gaols are often effective schools for the furtherance and education of all branches of the thieving profession. As an instance of the direct loss to capital employed in commerce, and especially in manufacture I may mention the bowl west trade, which prevails so largely throughout the cotton districts both of Scotland, Ireland, and parts of the north of England. This west is stolen in great measure by children, and not only is it a loss in the first instance to the owner, but his own stolen property enters the market, in the shape of cheap manufacture, to compete with him.

Many calculations have been made of the first loss sustained by thefts in large manufacturing towns—not a tithe of which, I need hardly say, are ever detected. I have but little faith in statistics of which the data are necessarily vague and hidden; but in order to give some slight idea of the magnitude of the system of depredation which is now going on among the juvenile classes alone, in large towns, I will mention that I have, through the aid of my friend Mr. William Rathbone, been supplied with a detailed statement as regards Liverpool, by Major Greig, commissioner of the police force. The gross results are, that in 1854 there were 1,035 commitments of children for felony, of which 428 were by children under twelve years of age. The amount of property thus detected to have been stolen was £3,225, but Major Greig adds that the probable value of property also stolen, but for which the thieves have not been apprehended, is £5,314, making a total of £8,540 known to have been taken by juvenile offenders, of which £1,367 only has been recovered. Now, if a system of thieving be regularly carried on in Liverpool, or in any other town, by young thieves, who can make it so profitable a business as to afford a loss on their gains of £1,367, and are likewise willing to submit to 1,000 imprisonments per annum, we may deduce some notion, not only of the extent of the depredations committed, but of the depth and magnitude of the depravity engendered, to which these facts are but an outward index.

I have received some very interesting details from Leeds, Cheltenham, and other towns, not certainly developing so extreme a case as I believe Liverpool presents, but still affording ample ground for the only point I am now endeavouring to establish, namely, how largely property suffers and morals are depraved by the extent of juvenile delinquency. I may mention that the criminal calendars forwarded to me disclose a fact I have everywhere (and in regard to all ages) found to be the case—namely, that the criminal class are not the least instructed class. I observe that those children committed who can neither read nor write, last year, did not exceed 28 per cent. of the whole number in the calendars I have examined.

I trust I have now adduced ample reasons why juvenile crime sufficiently affects commercial welfare, to entitle the vital question of its prevention to a place within the sphere of subjects which this Society may properly and usefully discuss.

There is one preliminary branch of the question which may, I deem it, be usefully eliminated from our inquiry, namely, the necessity of a new system of reformatory treatment for young offenders: but that seems to be almost the only point on which public opinion has pronounced a decisive fiat.

It has, indeed, been amply discussed and fully settled, that not only do juvenile delinquents require reformation, but that gaols, so far from effecting it, harden the offender, if they do not confirm him in crime. But beyond this lies a troubled sea of controverted theories and conflicting experiences, over which this Society may possibly pilot philanthropy into a safe and practical haven. It is with some hope of such a result that I have ventured to invite its calm attention to what appears to me to be the chief points at issue. I have, for long past, taken a very lively interest in this subject. My practice in criminal courts, and acquaintance with the moral economy of education, and, lately, my visits to nearly every reformatory establishment in England, have necessarily led me to form conclusions, which I will not affect to conceal, on the mooted branches of the subject. At the same time, I rejoice that the unimportance of my individual opinion will leave you perfectly free to form, and, I trust, to express, your own judgments, without the possibility of being biased by the utterance of mine, it being highly desirable that this great question should be debated without prejudice, and its merits sifted with fairness and freedom.

The premises being settled and the object one of common assent, the remaining questions relate solely to the best practical means of effecting juvenile reformation, with due regard to the interests of society.

There appear to me to be two elements in the requisite process, namely, punishment of the offence and reformation of the offender; yet this is so far from an admitted axiom, that one of these two positions is warmly contested; for there are those who deem the punishment of his crime no necessary part of the treatment of the juvenile criminal, and who hold that the only appliance required is reformation.

The opinion has been broadly stated, that a child up to the age of thirteen or fourteen should receive no retributive correction, even for grave offences; that the only justifiable punishments are, in the first place, those which the restraints of moral conduct naturally inflict on persons suddenly removed from a life of dissolute freedom, and such as might be administered for offences committed under the process of reformation. It is assumed that the child offends whilst free "without discernment," and that the punishment with which the law visits juvenile crimes is arbitrary, and neither deterrent nor reformatory, and that it is awarded without knowledge of the culprit's antecedents, or of the neglect and temptations which induced his delinquency.

If this doctrine be tenable, it is difficult to resist the conclusion, that children, as a general principle, should be held irresponsible for their acts, and, being exempted from the penalties of the law, may thief, burn, or kill with impunity, the sole result of such conduct being, that, if convicted, they shall be subjected only to the restraints of a reformatory discipline, where kind treatment, and the supply of every want, are alloyed by no other punishment for fresh offences whilst undergoing it, than such as are equally visited on every child under good parental care, whose antecedents are free from crime. It is scarcely necessary to comment on the effect and anti-social evils of a doctrine thus at variance with all law, human and divine, and the experience and practice of mankind in all ages. It is an amiable rather than a humane mistake—one probably engendered by the fact, that

legal penalties are not always punishments, especially to the class in question. The theory on which the error ostensibly proceeds is, however, this, that children are morally entitled to exemption from punishment because they are without discernment. But if so, it is difficult, in the first place, to understand why this principle should cease to protect them from correction the moment they cross the threshold of a reformatory institution, in which they are said to be punished for faults committed there. The antecedent adversities and non-discernment which exonerate them from the crime which sent them there, ought, in consistency, to atone for the minor indiscretion of violating conventional rules, or sinning against a discipline they have never learnt to obey.

The assumption that all children under 16 offend without discernment, appears to have been arbitrarily established in France, and unhesitatingly adopted by the philanthropy which has reproduced it here. But is it so? Is the class of children who swell our criminal calendar without discernment? I have taken opportunities, not only of gathering the opinions of those best acquainted with this class, but also of closely questioning many of their number at Kingswood, Red Hill, Stoke, Hardwicke, and Parkhurst, and I can vouch that a more singularly shrewd and intelligent body of youths are rarely met with in the course even of long experience in testing the mental capacities of children, and this is the opinion of nearly all who are familiar with young criminals, not only here, but abroad.

Nor is their intelligence merely natural. It is also more or less cultivated. The senior chaplain at Parkhurst, the Rev. H. Smith, in one of his last reports, speaking of the new arrivals there in January, 1853, says, "120 out of 160 had had the privilege of instruction in National, British, and other day schools, for periods ranging from three months to ten years. * * * The large majority of these new boys that have been educated, as it is called, in day schools, corresponds with my experience in former years, and is certainly a significant fact. It shows that three-fourths of our prisoners are not from the lowest class, for the parents of 120 out of 160 were able to pay for their children's schooling." There is, then, every reason for believing that the mental discernment of these youths, instead of being dormant, is extremely active.

If it be advanced that though the intellect of this class has been educated, yet its moral sense has not been developed, such an argument against the punishment of crime must have still more weight in favour of the exemption of adult offenders, who, in the days of their childhood, had far less means of improving their discernment and learning their duties, and whose age and long practice of crime will scarcely have quickened their moral sensibilities. If, therefore, the State is bound to forego the correction of juvenile criminals, so it is that of adult criminals, and the social equity of punishment is a mistake, and penal justice at an end. On the other hand, it may be justly conceded that the proper end of punishment is not the retribution of so much pain for so much guilt, but the prevention of crime no less by its deterring influence on others than by the reformation of the offenders.

The reformatory effect of punishment depends on its justice, and on the impression of its justice on the mind of the recipient. The child is quite as susceptible of conviction that his punishment is just, as the adult, and generally more so. The greatest care should be taken not to evoke resentment by punishment, but, as far as can be, to harmonise chastisement with contrition; at any rate, to avoid hardening the recipient and inducing defiance. If this be done, (and there is ample practical proof that it may be done), the sharp correction of crime is compatible with the kindest influences of reformation. They know little of the heart of a child who have yet to learn that the punishment which teaches him that sin is a bitter thing, and the law has its terrors, may be so applied

and tempered as to humble his stubborn will and pride, open the avenues to his heart, and ensure a conviction of ill-deserving, and an earnest of amendment far more impressive and enduring, than the mere appliances of indulgent treatment, prefaced by the evil lesson that crime may go unpunished.

The experiences of every Christian parent will confirm the assertion that the just, though sharp punishment of sin is perfectly consistent with the tenderest affection and the fullest fruition of kindly influences in the heart of a child. The sole question is, what shall the punishment be for the class in question?

With a view of solving this very difficult problem it was that I resorted to the plan of consulting themselves. I have lately, privately and apart from any witness, conversed with several of these youths, all of them convicted of crime, most of them steeped in it, and long familiarised with the associates, accompaniments, habits, feelings, incidents, fears, and hopes of criminal life. They varied in age from 11 to 19; they belonged to all stages of the reformatory process, from those with whom it had yet to begin its work to those who, to all appearance, were permanently reformed. They came from nearly all quarters of the kingdom, and were spoken to at reformatory institutions widely distant, and, perhaps, almost as widely differing in system from each other. A long experience in the work of taking and testing evidence, corroborated by the opinion of those who best knew my informants, has at least satisfied me that they gave free vent to their own impressions, and spoke the truth alike in spirit and substance. A perfect absence of reserve was readily obtained by a complete disclosure of the real object of inquiry, namely, that of learning the various facts requisite for planning how best to deal with their own class hereafter, but without any reference to themselves individually. Here are some of the notes, made at the time, of the gist of my conversations:—

1st Question. *Is a criminal life a happy one?*—There was no difference of opinion on this point; all said it was not. These were verbatim answers—"It keeps you always anxious." "You never feels yourself safe." "I had generally plenty of tin, and lots of grub and girls, and all that, but then you may be caught out any time, and don't know who mayn't crack (betray) on you." "It keeps you always restless." 2nd Question. *Does the fear of punishment and getting into trouble prevent lads from committing crimes, and what do they fear most?*—The answers differed slightly. This is a fair *résumé*:—"More or less it does, but it depends a great deal on how often a lad has been in gaol." This was the verbatim evidence of a young lad who is one of the cleverest pickers of pockets in England. "I have been in five gaols, Derby, Knutsford, Worcester, Stafford, and in Liverpool six times. The oftener you go the *hardener* you are. I was flogged once; that was nothing, I wouldn't mind that no time. The worst thing you ever have is being shut up by yourself; but that ain't so bad when you have books, or anything you can play with. I was often put in a solitary cell for things I done when I was in the gaol—swearing I'd fling the can at the man's head, and such like. Once or twice they locked me in a solitary cell, and only let me out to wash for five minutes in the day. I had no bed. It's solitary confinement that frightens lads the most. I think if lads outside knowed what nice places there is (meaning the institution he was in), and how well you're treated, they would be often thieving and doing things to get sent here. A boy came here with another not long ago, to see E. N., and he went back to Birmingham and stole a head of cabbage, on purpose to get sent here, but he wasn't; the beak wouldn't do it. I can't say whether I'll be honest myself when I leaves here yet; I think most of them will though."

With two exceptions, every witness declared that flogging did not deter the commission of crime, and that it was confinement which was the most dreaded. One of these said he merely spoke of himself, as he had suffered

intensely from being over-flogged. All said that it hardened them and never improved them. A great majority thought imprisonment, as now administered, produced very slight deterrent effect *after it was repeated twice or thrice*, for that it seldom proved half so bad as they anticipated. Their opinions varied slightly on this point with the discipline of the gaols they had been in. One said he would as leif go to C. Gaol as stay out; it was no punishment, they had lots of fun, were all together, and had plenty to eat." All thought the more solitary the confinement the greater the dread, and the greater the punishment. Another, at the same institution, said, "I think many would commit offences to come to places like these, if they were commonly known in the country. Flogging does nobody any good; kind treatment is the best way to reform lads. It would punish me most if I was confined in a solitary cell. I was transported for picking a woman's pocket of £25 10s., but I was sent here instead, almost directly. I was not punished for it. When I was thieving I was bullied and always in fear. There is no detention here, we stay just because we like it." Another, a very remarkably sensitive and clever lad, of a peculiar temper, and of a more advanced age, said, "he would rather have a flogging than three days in a cell alone; thinks kindness the best discipline, and that reformatory places like these give boys a taste for a better style of life than they knew of before; believes gaols the worst places for them. He learned more thieving tricks in W. Gaol than he ever learned out of it." Of one lad at Parkhurst, who appeared thoroughly reformed, and extremely intelligent, I asked what punishment he would deem most advisable for deterring crime? He replied, "*A sharp, short, solitary confinement.* If it is too long, they would get so far used to it as not to care for it again. The longer any imprisonment continues the less you care for it." This opinion, though not so directly elicited from any of the others, was borne out by all that fell from them.

Not a single lad deprecated punishments for crimes, and the readiness with which they condemned flogging rendered their silence as to other punishments, where they were silent, sufficiently significant of its utility. It is also worthy of note that none of them pleaded that want of discernment as an excuse for their offences which is so groundlessly pleaded for them. As an instance of the keenness of their "discernment," I may mention the following conversation with a boy who had just come to one of these reformatories a few days before:—

"Do you know what the eighth commandment says?"
 "It says you musn't steal."
 "Have you stolen?"
 "Yes; many a time."
 "Why is it against the interest of us all that thieving should be allowed to go on?"
 "It is against the will of God."
 "Yes; but I mean why isn't it good for us in this life?"
 "I don't know."
 "Don't you like to keep what belongs to you?"
 "Yes; to be sure."
 "Then, don't you see that if stealing is allowed, what belongs to you wouldnt be safe, and that is against every-body's interest?"
 "No it isn't; for them as steals will be sharp enough to keep what they have got."
 "Did you never have anything stolen from you?"
 "Yes; once I did though—but only once."

Superintendents of private reformatories have lamented to me that the absence of any power of detention limits their power of enforcing labour and discipline, leaving both in a great measure to the pleasure of a class of children remarkable for their inaptitude for the one, and their impatience of the other. They stay so long only as they are pleased to stay. Their endurance is dependent on their contentment; and their acquiescence in rules or regulations in some reformatories is procured by humouring their tastes, rather than by controlling their will or correcting their faults.

A superintendent of labour in one of these schools told me that it would be impossible to apportion rewards to work done, for those who get the smallest share would be irritated, and refuse to go on working, even if they remained at all in the establishment. The captivating license of nomadic life and lawless freedom awaits them without, and to it they return the moment the irksomeness of the restraints exceed the *agréments* of their new abode.

Allow me now briefly to sum up the practical results of this state of things, wherever it is permitted to obtain. So far from awarding to voluntary crime its legitimate punishment, or impressing practically on the minds of these young delinquents that the verdict of guilty, just passed against them, has a fearful meaning and a certain sequel of suffering—they are taught not only that no punishment is due to them, but that, in proportion to the magnitude of their offending is their chance of escaping from it, into the agreeable refuges which these reformatories extend only to the worst class of offenders. So far from the discipline of the place being a corrective to the moral leprosy, abnormal habits, and lawless license which characterise its inmates, in one signal instance the total absence of all system or method, or of any other restraints or rules than those made by the lads themselves, has been vauntingly avowed as the leading principle of the establishment and the great secret of its reformatory power. It was impossible to take the most cursory view of Salford and the aspect of its inmates, without perceiving how prejudicially this principle was carried into operation. It is a fact, that until the fruits of such a practice became too glaring to be tolerated, not only was pocket-money given to these lads, but they were on certain days of the week permitted to go unattended and uncontrolled into large neighbouring towns and there visit their old associates in crime, apparently in the charitable hope that they would act as missionaries to allure others from their vicious courses.

It needs not the anecdote of the boy who stole the head of cabbage, to prove the imminent danger that such reformatories, if multiplied in the country, would entirely deprive society of the deterring effect of punishment, prove a positive inducement to juvenile crime, and, moreover, to crimes of a very grave nature. It was just as well-known to the boy who told me the anecdote, as it was to myself, that he owed his own escape and refuge to the frequency and gravity of his crimes, and that the imitator had failed through the smallness of his offence. I cannot but fear that these places will, if they should spring up largely under the recent statute, become far greater promoters of juvenile delinquency than the gaol system—bad as it is—which they seek to supersede. That act requires merely a preliminary detention of 14 days in prison. This, to a child who is comparatively innocent and young in crime, inflicts a useless degradation and a wanton loss of self-respect, which the judge has no discretionary power to remit; to a hardened offender it is a mere farce. The good done by such institutions as I have described, seems to consist chiefly in bringing these children into contact with civilisation, and surrounding them with sympathies and kindness, giving them a practical insight into a new world, as it were, to which they never previously aspired, because alike ignorant of its comforts and its advantages; and it is by a liberal supply of these that they are induced to submit to the irksomeness of comparative order, cleanliness, and instruction.

I must specially except the Philanthropic, Miss Carpenter's school, and Messrs. Bengough and Baker's school, at Hardwicke, Gloucestershire, from the charge of want of discipline, or neglect of proper punishment after the children are admitted. Previously they have no power to inflict it, nor will children submit, voluntarily, to a probationary test, like the adult offenders at the excellent establishment of Mr. Nash, at Westminster. In each of the above-named reformatories, though the principle of

penal discipline, as a result of the offence of which the youths have been convicted, does not, and indeed cannot, be inflicted, it is but justice to say that owing to the practical good sense and actual experience of each of the founders of these most praiseworthy establishments, habitual industry, good discipline, and tolerably sharp punishments for offences committed in the institution, are in each case as far as possible enforced.

At Parkhurst prison there is a preliminary probationary stage, which is quasi-penal. I say quasi-penal, because there is no other correctional discipline than that which consists in being confined to cells with books for somewhat less than two hours, chiefly during meal times, the rest of the day being spent in school and exercise, together with the other boys in the same ward. This continues for four months. After this they pass immediately into the industrial wards, where nearly the whole day is occupied in useful industrial labour. They dine, work, and have short intervals for recreation together. Spade husbandry, cattle tending, brick making, baking, carpentering, painting, blacksmith's work, flax dressing, tailoring, shoemaking and washing, constitute the employments in which they are instructed by skilled persons. Warders constantly superintend them. The chaplains pray with and address them collectively for half an hour every morning, and speak to them individually occasionally. Each prisoner has instruction in school about nine hours in the week (which is too little), and every evening the most deserving lads are allowed to read or write, or converse together in the school-room, for one hour before evening prayers. Each boy has access to the chaplain at pleasure. Punishments are administered also for offences committed in the establishment, with the sanction of the governor, and rewards are given chiefly by means of good conduct and labour marks, which are credited in money earnings to each inmate. Order, neatness, regularity, cleanliness, and obedience, are enforced under a quiet, but exact discipline. The system of industrial training is one of the most perfect in England. It is the life spring of the whole process of reformation. The governor and the chaplains attribute much of the success which attends the institution, to this element. It is certainly peculiarly adapted to the correction of those abnormal and desultory habits which are the great charm and characteristic of vagabond and criminal life. Nothing will thoroughly eradicate this bane, short of systematic labour. Compulsory and habitual industry is indispensable to the cure of a disease in which idleness is incarnate, and of which it is often the root.

In my conversation with the youths whom I examined at Parkhurst, I found that they attributed much of the improvement in their own character to the ministrations of the chaplains, and to the kindly interest taken in their welfare by the governor, as well as to the instruction they received in the school. It is a favourable feature that they, one and all, highly appreciated the education they received, and desired its extension. They all expressed a belief that a large majority of the total number (575) were steadfastly resolved to abandon their old ways, and earn an honest livelihood,—of whom a minority only desired to emigrate, and this it appeared chiefly from the fears that their reformation would be doubted, and their facilities of welfare circumscribed in England. All agreed that there was no punishment, after the probationary stage, but that which resulted from misconduct in the establishment, and that the severest was confinement in the cells. Since the introduction of rewards the punishments have diminished. Each boy sleeps in a separate cell, which I regard as a most essential measure, though it is effected at Parkhurst only.

There are ample evidences that both at Parkhurst, at Red-hill, and at the better conducted private reformatories, genuine cases of reformation are by no means uncommon, after deducting numerous ones of feigned and transient penitence. The mere effect of kindness which the mesmerism of personal influence carries right to the heart,

and the magic talisman of hard work, produces some change for the better, even in the least hopeful cases.

It is not within the scope of this paper to comment further on the merits or defects of particular establishments, nor do I propose to indicate more than the general conclusions as to remedial measures, which my present means of judging have enabled me to form.

The difficulty which besets this part of the subject is apparent to none more than to those who best understand it. Were it possible to convey a catholic representation of the various facts and scenes which have been presented to those who have investigated the practical bearings of the question, I should gladly avoid drawing a single inference from them; as, however, the statement of such premises is necessarily fragmentary and imperfect, I feel bound to express my belief in the following conclusions:—

1. That the generality of reformatory institutions which neither punish nor imprison offenders, must be more or less defective in discipline, and so indulgent to the tastes of the inmates as to answer few of the behests of public justice, while they afford direct inducements to the commission of crime, of which there is already practical experience.

2. That no general measure as a substitute for the present system of punishing juvenile crime will do justice either to society or to the offender, which does not provide a due prefatory period of punishment for the offences of which they are convicted, to be apportioned to the antecedents, character, and criminality of the recipient, and which the Act of 17 and 18 Vict. c. 80, entirely fails to do.

3. That this punishment should at first consist of entirely separate confinement more or less prolonged, and more or less accompanied by means of mental occupation, according to the nature of his offence and the disposition of the child, to be shortened at the discretion of the officers of the institution.

4. That there should be, in all cases of grave offences, gradations of penal discipline, the latter stage attended by school instruction and short intervals of recreation and exercise in companionship, preparatory to the greater liberty of the purely reformatory sections. The object is to connect in the mind of the patient increasing comforts and benefits with progressive improvements of heart and conduct.

5. That the subsequent discipline should consist of systematised instructional and compulsory labour, chiefly in spade husbandry and useful trades, and that the labour should be as hard as may comport with health, together with plain and very practical instruction for at least two hours daily in elementary knowledge.

6. That religious instruction and reformatory influences should be sedulously brought to bear on the prisoners during the whole of their terms, by the services and close personal ministry of clergymen whose hearts are in the work, assisted by laymen in a lower rank of life, more nearly approaching to that of the prisoners themselves, and having a real sympathy with them, who should be specially trained for the purpose, and qualified to secure their confidence and affection.

7. That the power of detention should extend over the whole period of the sentence, subject to its suspension, and the restoration of the offender to liberty, at the pleasure of the Secretary of the Home Department, on the recommendation of the governor. Short sentences are, however, usually worse than useless.

8. That any continuous misconduct should be punished by a return to either stage of the penal wards, as occasion might require, and a proportionate prolongation of the original sentence.

9. That signal good conduct and reformation should be rewarded by the occasional enjoyment of liberty, under proper regulations and other privileges, preparatory to its entire restoration.

10. That according to the opinion of Colonel Jebb, 300 or 350 inmates are sufficient for one establishment,

and that, as I stated to the committee of the House of Commons in 1852, it would be advisable, in the first instance, to establish fifteen of these institutions experimentally, in the most populous counties, accommodating an aggregate of 5000 offenders.

11. That the penal and reformatory stages should be combined in the same institution; first, because it appears desirable that the same officers, and especially the chaplain, should be thoroughly acquainted with all the phases of character which each patient presents, and superintend the entire process of his reformation, beginning with the correctional discipline which is a part of and inseparable from it, and because it would be difficult to restore penal discipline for short periods, if the means of reimposing it were at a distance.

12. If this be conceded, the expediency may be well considered of giving power to magistrates to commit *before trial* to the separate confinement of the penal stage under modified discipline, in order to avoid wholly the contamination of those common gaols where no means of segregation exist, and the inevitable loss of caste and character.

Great exception is taken by some philanthropists to what is termed "the military element," as it exists, for example, at Parkhurst. Judging not merely by that institution, but by the workhouses governed by non-commissioned officers, it may be advanced that if order, neatness, punctuality, and discipline are essential to reformation, these are seldom so well attained as under judicious military superintendence; and whilst assuredly coercion and fear are no necessary parts of such an administration, the fullest exercise of kindness and sympathy is perfectly consistent with it.

The general principles of reformatory discipline are admirably set forth in recent essays and letters published by Mr. M. D. Hill, Mr. Barwick Baker, and the Rev. Sidney Turner.

Having now treated of the salient points which present themselves to those who practically study juvenile crime, with a view to ascertain the discipline, alike moral and physical, best adapted to transform the tares into wheat, and relieve society from its chief canker, it remains only to add a few remarks on the proper parties to administer the remedy.

If the preceding views be substantially correct, it seems to be almost a necessary consequence that the treatment of juvenile offenders belongs to the state. They fall by law into the hands of the law, and all usage and reason seem to indicate that by it they should be dealt with.

In the first place, can penal justice be either legally or advantageously delegated to private hands? Is it not an integral function of law, which should, *prima facie*, be exercised under its own sanction? The grounds on which this constitutional principle is founded seem almost self-evident. If punishment and detention are necessary parts of the treatment of juvenile offenders, the state should administer these integral portions of its executive jurisprudence.

Private reformatory establishments, great as are their prospective and possible mischiefs, have certainly done some good service to the cause. Their tentative utility must not be overlooked, as affording both positive and negative examples. Their mistakes and failures are available beacons. They have also given useful proof of the vast power of sympathetic and individual action in the work of reformation—a point excellently developed by Miss Carpenter, of Bristol, both practically in her establishments and theoretically in her able books. But this is a principle of which private establishments possess no monopoly. It can be carried into operation in a government establishment as well as in a private "reformatory." As far as the past experience of society has gone, without any disparagement of the priceless value of individual benevolence, I believe that the kindly and parental influence in question is even more effectively accomplished

by paid than by unpaid agency. I need only cite the zealous offices of the clergy in their various spheres of reformatory labour, and also (in a humbler walk) those of City missionaries and Scripture readers as evidence of this position. It is a mistake to accredit effective philanthropy solely to voluntary effort, and deny it to those who apply their hearts and devote their time and talent to the work, simply because they live by their labour and make it their vocation. A labour of love is not necessarily unpaid or always beneficially uncontrolled.

The primary barrier to the committal of public offenders to private hands, as I have indicated, is the impropriety of entrusting to irresponsible persons the powers requisite for the due administration of penal justice, and yet it is the express object of the recent statute to shift the whole work on local benevolence, without even adequate powers to those who may undertake it. The ill effect of the absence of such powers has been forcibly exemplified in the evils named, and in the frequent failure of the reformatory efforts which have been made, by the absconding of the offenders. But even if these very grave objections to such a system had no weight, the very nature of private benevolence seems to forbid the State from delegating its trust to it. Nothing can be more admirable than the devotion of private wealth, and the time and zeal of educated persons, to the uplifting of the outcasts of society, but, unfortunately, such virtues are not necessarily permanent, nor always judicious. As applied to the work of reforming criminals, they partake not the less of the character of chance charities and fortuitous philanthropy, because they are now pursued with the zest usually attending novel humanities and fashionable charity. But these impulses are notoriously ephemeral and intermittent, and the voluntary institutions to which they have already given birth are equally so (as recent collapses exemplify); and if so, they cannot with any reasonable prudence, be entrusted with a national work of vast social moment, which eminently needs permanence and uniformity of system. Let that system be ever so well matured, its operation could not be secured by any less methodical administration than government can alone perpetuate.

The State, and the State alone, has the power to supply this essential condition of successful reformatory institutions, and also to administer the equally essential preliminary and deterring punishment of crime, which is a no less vital element of public justice than a social necessity.

I confess that I distrust private aptitude for the due conduct of a work which ought not to be subjected to the varieties of experimental benevolence. The belief that juvenile offenders are errant angels, whose reformation requires little else than fondling, is alarmingly prevalent. It is a mistake which one or two of our most practical managers began with, but which a few months actual experience has in each case dispelled. Perhaps no vocation requires a more peculiar set of qualifications, both natural and acquired, than that of the head of a successful reformatory. It will take two years to train even a well-disposed man fully for it; and yet reformatories are being established as if masters for them could be raised like mushrooms; and I have just seen a circular issued by the Berks magistrates, evincing so singular an appreciation of the requirements of the work, as to offer 14 shillings a week and rations for a superintendent,—a salary scarcely exceeding what they give their grooms.

It has been said, that private reformatories for the young offender avoid the "ban of the prison." I apprehend that the ban to be removed is the ban of crime, and that it is a great mistake, and, moreover, a mischievous one, to stigmatise the remedy rather than the disease. Society, under the present system, wisely discredits his reformation, and fears the offender; *fœnum habet in cornu; longè fuge*. But it is the belief that he is criminal still which attaches the ban to him. If prison schools effect reformation, no ban belongs to them; on the contrary, they will be a passport to the future welfare of the inmates.

I cannot refrain from commenting on the cruel injury which results to them, by the unjust disparagement of institutions which really reclaim them. Their future restoration to society and independence depends mainly on the public credit of the establishment which, in sending forth its patient, endorses a bill of health for his restoration to society. If this be dishonoured, his chances of well doing, however real his reformation, are seriously damaged. This is no problematical injury. I have seen a letter from a late Parkhurst inmate, who was making every effort to obtain a livelihood, and complained bitterly of the cold distrust which repulsed his efforts. It may be well worth the consideration of her Majesty's Government how far such cases may be met with increased facilities, under due regulations, for emigration. Such a resource would, in many cases, be thankfully accepted, not only as a means of escaping the odium of present prejudices, but also avoiding the temptations of old associations.

The funds whereby prison schools should be maintained would be probably provided partly by the state, by local rates, and by forced contributions from the parents of the offenders, as I long ago recommended, and as has been provided by the recent act.

The cost of the buildings and the salaries should be defrayed by the Consolidated Fund, and the maintenance of the offenders, as far as it exceeds the produce of their labour, by the county, union, or district where the offence was committed. This expense would prove so extremely insignificant in amount, when charged on the rateable value of property assessed either on the county or on the poor-rates, that it would be scarcely appreciable, it being considered that the maintenance of the same offenders in the gaols must be deducted from the outlay. The expense would arise mainly from the greater number of youths whom an efficient system of reformation would probably induce the magistrate to commit.

The pounds, shillings, and pence view of the subject, when we are dealing with the repression of public crime and the elevation of popular morals, is so utterly unworthy of consideration, that it is humiliating to remember that English idiosyncrasies still compel us to descend to it. When the enormous amount of property now lost by juvenile plunder and the generation of thieves thus reared is remembered, the greatest present economy in reformation is the largest future loss,—a fact which pennywise ratepayers should not omit from the calculations which damp their philanthropy, and often shut out from their view even the worldly wisdom of pound savings in prospect.

The principle of making the parent contribute, whose neglect of the moral welfare of his child has in some measure caused his crime, seems to be universally recommended, no less by reason, equity, and social policy, than by the common assent and approval of those who have studied the subject. The difficulty of enforcing such payment where the parents are known, would only be greater than that of recovering the maintenance of bastard children from their fathers by similar powers, where the parents are destitute; it is, however, in many cases otherwise, for the parents are often well off, and it is in these cases that the principle would apply with most benefit.

The great proportion of criminal children whose parents are tramps, or who have no fixed residence, will always render the operation of this wholesome check on crime, fragmentary and partial.

Private benevolence may find another field for its invaluable offices in the treatment and training of that larger class of outcast children who swarm in our towns, and having neither fallen into destitution nor committed detected crimes, are outside the gaol and the workhouse, though constantly hovering on the verge of both.

Many of these are criminal; some have been already imprisoned; others equally, and often still more guilty, have escaped detection. A portion are simply vicious.

A large section are on the threshold of destitution—some of whom, it is fair to assume, are not yet actually criminal, and successfully resist the inevitable temptations of their position. Each of these groups in some measure merges into the other, and partakes of its characteristics. Their prevailing moral lineaments are more easily ascertained. Most of them are ill-disciplined, dirty, idle, and sensual. They have been termed "the City Arabs." But inasmuch as the great majority live in towns, and are not migratory, the term by no means aptly designates them, except as relates to their averseness to settled and continuous labour. So far from the bulk of them being of nomadic habits, they infest the towns of their birth with remarkable tenacity, and prowl with the adhesiveness of cats in the same purlieus and alleys; whilst the very name of "Arab" suggests the idea of activity, incessant and prolonged travel, open-air life, and habitual avoidance of all urban haunts and mural abodes. The special class to whom this singular misnomer is given are born and bred in the crowded hovels and penned-in alleys of the densest parts of our large towns—roam chiefly in the gutters, and wallow faithfully in the same stagnant dirt, moral and physical, day by day, and year by year. They constitute a sort of fungus population, vegetating in the dampest, densest, and darkest parts of all large places, and form the great nurseries of crime, penury, and disease.

At first sight, seeing the affinity which exists between one, at least, of the sections of this class, and that of criminals under sentence, and between the more destitute and less criminal section and that of the children in workhouses, the question is naturally suggested whether each might not be wholly drafted into district schools for prisoners and paupers? I incline to think not. In the first place it would involve a dangerous and unconstitutional infringement on the right of personal liberty to subject even a child to detention on mere suspicion of crime. Legislation has never in modern times so far superseded the sanctions of the law, and disregarded the boundaries of penal justice. I am aware that this was once done by a *coup-de-main* at Aberdeen, but its illegality is admitted by those who did it. The chances of injustice under such a system would far outweigh the convenience to the public, and the good which would possibly result in many cases, where the punishment did no moral wrong. A portion, however, of the class in question, can be sent to the prison schools, whenever they are established, without illegality, and without any change in the law. Many of these children are frequently detected in various offences, especially in petty thefts and trespasses, and acts of overt vagabondage, which are now habitually overlooked, owing in great degree to the natural unwillingness to submit young children to the contamination of a common gaol; and secondly, from the want of a public prosecutor, and the consequent trouble and expense of instituting prosecutions. One section, therefore, of the great vagrant horde will fall naturally into the prison school.

The semi-pauper class forms another section. Those who are the children of persons in receipt of relief alone amount to 258,000, though some of these will doubtless go to district pauper schools. But the impossibility is obvious of including all these children—at least three times as numerous as those in workhouses—in such district schools without an entire revolution in the principle as well as system of the poor laws. A parental government would probably hesitate thus to enlarge the exhibition of public dependence, and the evil necessity of institutional charity. Nevertheless, a judiciously selected portion of these children placed with reference to the workhouse, as the out-door criminal children are to the gaol, may be absorbed by the district labour schools.

If these premises are sound, it follows that the treatment of a portion—but of a small portion only—of the criminal and the impoverished sections of the great body still at large, may be provided for by the two new institutions of

penal and labour schools, already contemplated by Her Majesty's government. Such children may be regarded as the waifs and strays of the two classes already under legal custody, who belong equally to the charge of the state.

I would beg, however, to express the conviction, that further than this, the direct interposition of the government need not extend. I am of opinion that it cannot beneficially do so.

A large class remains, whose industrial and moral education is adequately met by no existing appliance. There must, moreover, always be social and moral necessities for which a government can properly make no provision. There are limits even to its executive benevolence, assigned no less by reason than usage. Nor is it perhaps desirable that it should be otherwise. If we were to venture to indicate a boundary line to state interposition, it would be that the state should directly minister to such philanthropic requirements only as could not be equally well effected by private effort. It is on all grounds beneficial to enlarge, foster, and encourage the activity of individual benevolence in the removal of social evils; and the establishment and success, though at present partial and imperfect, of ragged industrial schools, appears not only to illustrate this position, but to indicate one of the best means whereby the large residue of the dangerous class of children may be effectually reached, and to a great extent reclaimed. In order to ascertain what probable proportion of the necessitous section reside in towns where ragged schools are commonly placed, information has been collected from the chief unions in the west of England. The disparities of proportion are remarkable, but the aggregate result shows that no less than 40·8 per cent. of out-door pauper children live in towns.

At Gloucester, a ragged industrial school was commenced with thirty pupils, in 1850. It now numbers above 100, and an investigation having been made last year, no less than 55 per cent. were found to be the children of out-door paupers, and the rest are all, more or less, of the poorest class.

Experience has amply proved the great and signal power these schools possess in the work of reformation. Habits of reckless insubordination, utter disregard of all moral control, personal filth, heathen ignorance, and the mother of them all, inveterate laziness, disappear under strict judicious discipline, plain practical instruction, and regular labour, with a degree of success and rapidity which repeated scrutiny has convinced me is really sound and enduring. Even where the reformation is not complete, an insight has been given into the comforts of comparative decency, and the dignity and profit of labour, which renders dirt, sin, and indolence generally less attractive, if not actually distasteful, for the future. This seems to be the fitting sphere of individual exertion, and the efforts of the highest order of philanthropy, nor can there be a more fruitful field for its exercise.

I have now glanced at the main features of a great social topic which the moral necessities of the people, no less than the progress of broad Christian sympathies, are pressing on the attention of the times. For the nonce, the war, and the absorbing importance of foreign events, have set aside the consideration of home reforms. When these, however, happily resume their natural predominance, I think no public question will require earlier or more effective settlement than the treatment of juvenile offenders, on a system sufficiently matured and organised to reform the criminal, whilst it protects society by the due punishment of crime.

DISCUSSION.

The CHAIRMAN said, the subject was of such importance and general interest that it required no suggestions from him to invite the observations of those who had previously paid attention to the subject, and several gentlemen present had almost made it the study of their lives. As he had no doubt the observations

would be rather lengthy, it would perhaps be advisable that they should principally direct their attention to the main point as to the object of punishment, whether to punish the offender or seek his reformation. That was the point to which Mr. Symons had referred in the first part of his paper—and was the main one on which there was a division of opinion in the country. He had an opinion of his own, but before he expressed it he wished to hear the observations of others more competent than he pretended to be.

Dr. WADDILOVE said, although he was not included within the class of persons respecting whom the chairman had stated that they had made this subject the study of their lives, and although he made no professions of a practical acquaintance with the question, yet he spoke of it with perhaps an interest not inferior to that felt by any around him. He could not but think, that although this subject had been largely considered by eminent persons, statesmen, legists, charitable ladies, and benevolent individuals, and also by persons similarly situated to the learned gentleman who had read the paper, still he thought they had not struck at the root of the evil. The chairman, it seemed, wished to confine their attention to the two questions, the punishment of the offender and his reformation. He (Dr. Waddilove) thought that those who had given their attention to juvenile delinquency had not struck at the root of the evil, they had not grappled with the cause, but had rather dealt with the effect. They would treat children guilty of some petty theft as criminal offenders, and would turn them over to the hands of justice to be dealt with, and would send them either to a prison or a reformatory school; and as their moral principles were presumed to be vitiated they were placed under a course of severe discipline, with a view to make them fit members of society—to eradicate, in fact, the taint with which it was assumed they were infected. He was one of those who thought that they went somewhat too far in so doing. He thought, instead of those reformatory schools they should establish what were called schools of industry; and that children under a certain age, if they had no occupation, or were not at school, should be placed at an industrial school, where they might have occupation and instruction, where they might be taught some trade, might be trained to become soldiers or sailors, or find employment in some shape or other. Where a child was not put to school by its parents, or had no ostensible means of occupation, it was the duty of the state then to take charge of that child. Some persons might say that would be an infringement on the liberty of the subject; but in reply to that he would say, one of the definitions of liberty was that a man has a right to do what he pleases with his own, provided he does not thereby injure his neighbour. But if a child had become, or was likely to become, a thief, in consequence of the manner of life it was leading, by the neglect or design of its parent, the parent inflicted an injury on society, and forfeited at once his right over that child; and in such a case he held it to be the duty of the state to interfere. He was not going into the details how this was to be done, but he merely threw it out as a suggestion of his own mind upon the question. There were hundreds and thousands of children in this metropolis wandering about without occupation of any kind, and without any care or supervision on the part of their parents; and he thought it was the duty, as well as the interest, of the state, to interfere and do its utmost to prevent them becoming criminals; whereas, the principle of the system treated of in the paper before them was that they were to wait until a crime was committed, and then they were to send the child of tender years to undergo punishment and a harsh course of discipline in a reformatory school, differing but little from a gaol. The child was to be treated as a criminal before it had become morally such. In the last session of parliament an act was passed for Scotland, by which a power was given of

apprehending any child found wandering about the streets or begging. The child was to be taken before a magistrate, who might send it to an institution similar to the industrial schools he had alluded to, unless security could be found for its good behaviour; that was an approach towards the course of action he would suggest, but he would go further. The child under that act must be taken before a magistrate, not, perhaps, as an actual offender, but still brought within the machinery of the law, and made the subject of a judicial inquiry, whereas, he would maintain that there should be no such process, that children found begging or wandering about the streets, or those whose parents did not give them honest employment or instruction, and those who had no parents, should, without further inquiry, be sent to an industrial school, or put to some course of occupation to redeem them from the habits they were contracting, which would almost inevitably lead to crime. Before the State could deal with them under the existing law, they must have committed some crime. That, he thought, was the error of the present system. Children of persons in the better classes of society would sometimes pilfer, and how were they dealt with? They were not at once handed over to the policeman. Why act differently with the children of the poor? Ascertain to a certainty that the child is morally and all but incorrigibly bad before you place him in one of those reformatory schools. The Earl of Shaftesbury, whose name they must all revere, last session introduced a bill called the Juvenile Mendicancy Bill. His lordship, in some degree, advocated the principle which he (Dr. Waddilove) was now urging, but for some reason or other that bill did not pass. There was another point to which he would refer. He could not but think that in all these reformatory systems, and in dealing with juvenile delinquents as a class, they dealt rather too harshly with the child. They knew it for a fact, that last year no fewer than 7000 children—that was, persons under 17 years of age—were convicted of theft, and of that 7000, the large number of 1200 were stated to be under 12 years of age. Conceive a child under 12 years brought up to answer a criminal charge. What would a man do in his own family in such a case. Would he turn the child over to the civil power? The would-be reformers of juvenile offenders, and the inspectors of reformatory institutions, looked upon all children as criminals; it was part of their province to exercise hardship and punishment. He thought they ought at all times to temper justice with humanity. He thought persons had not grappled with the cause of juvenile crime, but had rather dealt with the effect; therefore, he hoped, in all future steps that were taken in this matter, they would look to the source of the evil, in order that they might be enabled effectually to arrest its progress.

The CHAIRMAN said he was reluctant to interrupt the observations of the learned gentleman who had addressed them, but he wished to remind him that the present question was not how to prevent crime, but how to deal with the offender when the crime was committed. He might, perhaps, agree with Dr. Waddilove as to the conclusion he came to, but that was not the question which they had to discuss, but it was, supposing the crime to have been committed, what should be done with the children.

Dr. WADDILOVE referred to the title of the paper in explanation.

Mr. POWER (Recorder of Ipswich) thought that his friend Mr. Symons had, in the paper before them, put the case of those whose opinions he represented in as strong a light as he could, and he (Mr. Power) had the misfortune to differ with almost every proposition which his friend had laid down,—not that he arrogated to himself any extraordinary philanthropic pretensions, but that he thought the justice of the case was opposed to the views which his friend represented. In the first place, with whom were they dealing? With children. It was all very well for his friend, as generally for those advocating his views, to select them as near as possible to 16 years of

age, and as having the character and responsibility of adults, but they had the fact before them that large numbers of those convicted of crime were not just under the age of 16 years—just trembling on the verge of manhood—but that many of those in our gaols were children of the most tender age—children of 8, 9, and 10 years of age; and he said, to administer to them what his friend called sharp, stinging punishment, to put such a child into a solitary cell, which any one who was acquainted with the anatomy of the human frame and constitution, would tell him was opposed to the very nature of the child, to do that was to visit upon the child a vindictive punishment, that could answer no good end,—that would not deter him from committing other offences, that would not deter others similarly situated from committing offences, and could have no good tendency towards reforming the child himself. Mr. Sheriff Watson, of Aberdeen, had sent him a communication which showed the cause of juvenile crime as far as it was possible for any statement to show it. In the bill which had been referred to by Dr. Waddilove, by some omission, either in the wording of the act or in consequence of the interpretation put upon it by the Lord Advocate, the industrial free schools of Aberdeen were excluded from its operation. Some years ago a Poor Law Bill for Scotland was passed, and between 1850 and the present date, owing to the interpretation put upon that bill by some of the sheriffs, who are judicial officers in Scotland, it was determined that widows and other single women having one or two children should no longer have the right to out-door relief. They must either go into the poor-house or receive no relief at all. The consequence of this had been a great increase of vagrancy. It was thought by sending them to the industrial schools of Aberdeen this might be put a stop to, but, in consequence of the interpretation put upon Dunlop's Act by the Lord Advocate, that could not be done, and what was the consequence? Vagrancy had increased in Aberdeen threefold, and whilst, in 1850, the number of children under 12 years of age convicted of crime and sent to prison, was only 8; in 1854 it amounted to 49. To tell him that a child was to be subjected to a sharp stinging punishment—to be put into solitary confinement, because, first, by the interpretation of the laws they had made the child a vagrant, and then, because the act did not allow the child to be sent to an industrial school, he was sent out to beg, and from begging got to stealing; to tell him that a child so educated and so subjected to circumstances should be visited by a sharp punishment, in a solitary cell, was, he thought, to manifest an obliviousness of that justice which ought ever to prevail between man and man. Would such a punishment upon the child stop vagrancy or put an end to crime? What good could it answer except in the gratification they—grave men—received from the knowledge that a child of 9, 10, or 11 years of age was expiating his crime—his terrible crime—in solitary confinement, and on bread and water diet!

Mr. SYMONS—I did not say stinging punishment, which seems to imply flogging. I said a short and sharp punishment.

Mr. POWER would, for his own part, rather have a child whipped than sent into solitary confinement. His friend had quoted two or three instances, no doubt perfectly true, in which solitary confinement was viewed with horror by children. And why? Because it was antagonistic to the child's nature. In a child of from 10 to 14 years of age, at the very time that he was gathering his information for future good or evil in life from all that was passing around him, to place such a child in a solitary cell, was doubtless painful and abhorrent to the child himself; but to tell him that it was a punishment which could have a good effect upon the child, was to tell him that which was opposed to his reason, and he believed would be scouted by all those who knew anything of what was the organisation of the human frame. It was impossible, in the limits within which his observations must be neces-

sarily confined, to follow his friend Mr. Symons through all his points, and he would therefore simply confine himself to a notice of two or three of those points. He had alluded to Parkhurst. He (Mr. Power) had been at Parkhurst, and also at Saltley, and comparing Parkhurst, with all its train of officers, with the reformatory treatment practised on a smaller scale at Saltley, his judgment was all in favour of Saltley. To Parkhurst—(and he did not wish in any way to libel that institution, but he wished to speak the truth of the matter)—to Parkhurst he paid a pains-taking visit. He saw 13 or 14 boys in a field idling round a warder. To tell him that the hearts of the boys were in the work was impossible. Any one could see that it was compulsory labour, the warder buttoned up to the chin in a regimental coat looking on—there was not the least heartiness in the work—the sentinel with fixed bayonet passing up and down the while. He would ask Mr. Symons this question—if Parkhurst were joined on to the main land, how many of those boys would remain there upon the work? All would run away. And as to reforming people against their wills, they might as well try to stop the motion of the earth; and the man who did not know that, was a very tyro in the reformatory treatment of criminals. The first thing to be done, was to get the boy's interest in his own reformation, otherwise they might try for ever to reform him, and they would not succeed. They might have the warder to superintend the boys, and (with all respect he mentioned it) the chaplain to teach them what their true duty was, but they did it in vain unless they gained the first step of awakening an interest in the mind of the boy in his own reformation. But his friend had said he would have this sharp stinging punishment administered in the same place where the reformatory treatment took place. He would like to see his friend governor of such an institution, and his friend, having administered his sharp punishment, might say, "Now, you have seen my harsh face, I will now turn to you a smiling countenance and try to reform you." He might try a long while, but he would not succeed. Any one who had had anything to do with reforming children, know that they had to meet a boy in his abnormal condition. The hand of society, he believed, had been against him; he had been dodging the policeman all his life, and he thought he had more right to complain against the policeman than society had a right to complain against him. The first thing was to get the boy to think that there was some sympathy for him, and by that means to inspire in him trust and confidence. They must make him believe that they were his friends, and then the work of reformation might be said to begin to take effect. But his friend said—"You fondle the boy." Had any one in this meeting tried to get rid of a habit which they were desirous to get rid of? If so, they had learned whether it was an easy task or not. With regard to some of the boys at Saltley, he could point to the terrific punishment they had gone through in their own self-reformation, far greater than solitary confinement or any other punishment they could administer. They might imagine a boy accustomed all his life to a roving and predatory life, with all the excitement attending it, escaping more often than detected. He gave that up in the reformatory school; his mode of life was different; he had to learn habits of order and cleanliness, and to learn to entertain a regard for others, instead of always being in a state of antagonism to the rest of society. In all this he was going through a real punishment, far more severe to him than any arbitrary punishment that could be inflicted on him, and, therefore, when his friend said those holding opposite views to himself on this subject were anxious to do away with all punishment, he did not represent them rightly. All he said was, it was unjust and useless to pass these vindictive, arbitrary punishments upon children. He now came to the last point he would mention. His friend had spoken of 15 of these contemplated reformatory establishments to accommodate 350 children each. He (Mr. Power) should like to see the staff which his

friend would appoint over these 15 establishments with 350 children; for after all, they, like Parkhurst, would be neither more nor less than prisons; they would be so many gaols, though called by another name. They must have the high stone wall, with the spikes at the top; they must have warders to enforce outward discipline, and they would turn out some of the children, as some of the ticket of leave men were turned out—reformed outwardly, it was true—hypocritically reformed, it was true, because there was a reward in view for outward performance of the requirements made of them in those establishments, but as to any reformation of the heart, there would be none. They would incur the expense of fitting up these 15 establishments with their staffs, but as to reforming the criminals thereby, that would be a problem as unsolved as it was now. They might turn them out improved in their appearance and general outward bearing, but with regard to reformation in the heart, it would be a complete failure.

Mr. ELLIOTT was pleased that in the paper read by Mr. Symonds, a humane and healthy principle was at least acknowledged; the courage of the author was admirable in resisting the effeminate and diseased sentimentality which was too common on all matters of criminal jurisprudence. Juvenile offenders must be treated as all offenders should be; they had broken the law; they had injured their neighbour, and satisfaction must be had; that was, they must be hurt, they must be treated in a manner that would deter others ready to fall into crime; that was, they must be hurt so that the ideas of pain might be instantly associated with crime in the minds of all evil doers. Mr. Symonds had manfully acknowledged this, when he said their pain must be sharp and short, but only of that kind which belonged to disagreeable confinement. He would have been glad if the truth had been still more boldly declared, and if the sort of punishment, pain giving, which punishment was, had been real sensible corporal pain, which everybody could understand, and until we had fallen into effeminate habits, all were ready to apply, from the days of Solomon, who said, "Spare the rod, and spoil the child;" to say nothing of the example of a greater than Solomon, "Who made a scourge of small cords, and drove ill-doers out of the Lord's Temple." The very instructive evidence was adduced by Mr. Symonds, of a young thief who said, "He did not care for flogging a bit;" that was only so much braggadocio, not to be believed; pain was pain, and people did care for pain, and, therefore, they did care for being flogged; to say boys or men did not care for pain, the pain of flogging, is just as absurd as to say, round was square, a cube was a sphere, hot was cold, or any other absurdity. Keeping in mind that you punished for satisfaction, and for example, you also punished for reformation, to prevent the ill-doer repeating his offence; and how best could you do that? by so treating him that he would say, "The pleasure of theft is not so great as to outweigh the pain of the punishment; a stolen apple and a flogging, is worse altogether than an apple bought with the produce of work, and, therefore, I will steal no more, but work." A very powerful, energetic young man said, "He was, when a boy, a sad fellow to rob orchards; he was flogged for it, but he sometimes robbed orchards still." "Well, but if you had not been flogged?" "Why, then I should have robbed orchards much more." Criminal children should have parental discipline for offences; the police should take them to their parents, who should punish them; but if their parents be depraved, who live, as was sometimes the case, on the thefts of their children, and who taught them crime by precept and example, then the summary jurisdiction of the magistrate and the police must take the place of the unnatural parent, and punish them, that was pain them, that was flog them. The present mode of treating young offenders was costly and mischievous; it rewarded crime, and, therefore, encouraged it and taught it. It placed offenders in prisons, reformatory asylums, really palaces compared with their own homes, where they were well fed, cleaned, nursed and

doctored, kept warm in light and nice apartments; they were visited by ladies and gentlemen, made much of, and altogether treated in a way that was a scandal on the honest industrious man of humble life, who was not half so well respected, cared for, clothed and comforted, neither he nor his children. To the mind of multitudes, crime in this country was rendered, by the follies of the effeminate humanitarians, the antecedent of improved comfort, sympathy, and enjoyment. The poor labourer, who saw that his boy could only by his hard industry and heroic self-denial grow up to the endurance of hunger and hard work like himself, would be apt to say, "My child is delicate, and cannot work as I have done. I should like to give him a trade; that I cannot do by hard work, but I see that those who steal and destroy fences and do mischief are taken care of by the gentry; and in addition to all bodily comfort, good shoes, and caps, they get a good deal of learning, and are taught a trade, that of blacksmith, tailor, &c. Surely hard honest work must be the shameful thing, seeing how it suffers and is neglected, and theft must be a good thing, seeing how genteel people, especially our clergymen, make much of thieves, and comfort and reward them; my boy shall turn thief." This certainly was the teaching now-a-days, and still more was it, when to all this we added the fact, that the money value of a young thief was much more than that of a whole labourer's family. At the lowest he cost £25 a year (or probable double) to reform, or make-believe reform, while the whole year's income of a labourer, wife, and two young children was often just the same. There seem but one means by which, after punishment, these young persons could improve their manners, and that was now-a-days entirely repudiated, so pleasant was the company of depraved persons to the humanitarians—transportation. Send them abroad, into the wild and fertile and unappropriated regions of the Cape, Canada, or Australia. Reform of the offenders depended on food and raiment coming as the direct and instant result of work, and in those countries they so came, labour being so much required. Reform depended also on certain healthy bodily conditions; here we sent children back to the hot, close, pestiferous air, of crowded rooms and cities, where diseased tendencies are fostered; the wild, violent bodily labours of the colonies, in purest air, changed the nature of the blood, nourished the brain with healthiest materials, carried off the natural bodily fatigue, the otherwise diseased nervous energy; health rendered labour pleasant; and if anywhere a bad boy could be turned out a good one, it was in the healthy natural occupations of colonial pastoral life. The example of our own country proved this, seeing how much less crime there was in the rural districts, notwithstanding that every rural prison was converted into a school for the reward of crime; the healthy pursuits of the field rendered a man proof against the temptations of the humanitarians, and this was quite proved by the very decided and rapid improvement which was effected, not, it was true, in every instance exactly, among our transported convicts. One of the happiest notions for the improvement of bad children, was that of the late Lieut. Brenton, who formed a receptacle for them at Hackney-wick, taught them a little garden culture, and sent them to the Cape of Good Hope, where, though with some failures, and though in the hands sometimes of hard masters, the majority of these children were speedily changed into honest workers. Lieut. Brenton was hunted down by the newspapers, his beneficent scheme was destroyed, and he, good fellow that he was, sunk under the persecution and died. Since then the humanitarians had, without restraint, converted the country into one vast crime preserve, and, as a consequence, crime, and especially juvenile crime, had abundantly increased.

Mr. SLANEY regarded this as a subject of deep interest to society at large, and one which should be treated with the greatest calmness and consideration. He had heard, with some regret, the extreme differences that appeared to exist between the gentlemen who had addressed them

that evening—differences, however, which a little calmness and coolness might in some measure remove. They had heard advocates on the one side of what was called the harsh treatment, and on the other side of what was called the kind treatment. But he would ask them, whether, amidst the multitudes of these juvenile criminals, they did not find persons of every gradation of mind, intelligence, and disposition, so that they might apply to some or other of them both these treatments; and, therefore, it might be useful, upon the ductile, the gentle, and the impressible mind of some, to apply the milder form of treatment; and, on the other hand, with some of harsher temperament, of older years, and more hardened by custom, to such it might be necessary to apply a more stern and rigorous treatment in bringing them to believe that it was to their advantage to be amenable to the laws of society. By some such process they might consider that the treatment spoken of on both sides might be combined, applying it with judgment to the different classes of minds of which he had spoken. For his own part, he was inclined to aid, not the vindictive side, but rather the indulgent side. When he came to see what were the causes of these effects—when he came to consider whether the fault was in the children themselves, or in the circumstances that surrounded them—whether it had not arisen mainly from various examples set before them by the parents, and from circumstances of temptation which, perhaps, few could have resisted, or it might be from the neglect or supineness of the government even under which they live. It had happened to him to have visited the haunts of vice and ignorance, of sickness and of suffering, where he had seen such temptations placed before the minds of children by bad examples around them, and such influences acting upon their infantile minds, that he ventured to say, while he did not excuse their crime, it was almost a matter of necessity that they should become the little criminals which they subsequently turned out to be. During the time that he had the honour of acting upon the Commission of the Health of Towns, he recollected visiting a miserable court, in one of the large provincial towns, accompanied by an intelligent police officer, and after seeing the dreadful dirt and filth in which the inhabitants lived, and in which their children had been imbued in all that was physical and moral around them, he asked the officer who accompanied him whether he did not find those people very much debased. He replied, "Yes sir, I have transported every one in this court twice over." Then ought they not to feel for those juvenile offenders, who had around them such powerful incentives to evil. They were, it seemed, debarred from considering what appeared to him the most important element in the case, viz., the consideration of how they should prevent the numbers of juvenile criminals being continually filled up by fresh persons coming into the criminal class. If that were the case, the whole question of the necessity of an improved education, including industrial education, religious education, and all that acted upon the juvenile mind from its earliest dawning, would be debarred from the present debate. Besides that, there was another wide field which ought to be considered, and that was the physical situation of these unfortunate people, because if they had them confined within the narrow precincts of an obscure alley, in towns inundated with fetid vapours, and all the evils they had seen in the close abodes of the humbler of the working-classes, he defied them—with all the education they could give, and with the best of schools—he would defy them, if they returned into those abodes of misery, to raise them from the condition by which they were surrounded. To return to the subject more immediately before them, it appeared to him, it was by a combination, on the one hand, of the stern principles to those hardened by crime; and, on the other hand, by the mild and lenient, and considerate treatment to those whose minds were ductile, and open to impression; it was by a due commingling of these two methods that they could hope to accomplish the great object of reclaiming juvenile

criminals; but it seemed to him of greater consequence to prevent, if possible, the continued increase of this unhappy class by making use of the proper means to prevent that increase.

Captain O'BRIEN said, as he was one of the official persons alluded to who, as Visiting Director of Parkhurst Prison, might be supposed to be prejudiced in favour of a penal system, so, on the other hand, as one of the Committee of Mr. Nash's Reformatory in Westminster, he might, with equal justice, be accused of having a strong leaning towards reformatories; but in fact he had, so to speak, a prejudice in favour of both. His experience led him to the conclusion that bad, vicious, wicked lads should be subjected to strict discipline, and when they did that which was deserving of punishment, they should receive one, short, sharp, and decisive. But, then, to subject a little boy who really had not discernment, who was guilty only of some petty delinquency, to the same penal coercion as the other class of offenders, would be cruel and useless. An absolute and unbending rule could not be laid down for all. As regarded serious offences and wicked boys, he preferred the course pursued at Parkhurst. As regarded the comparatively innocent boys, he preferred the reformatory methods. Subject to this exception, he coincided with what had been so clearly laid down by the intelligent author in the able paper which had been read. He must, however, advert to certain statements that had been made to the injury of Parkhurst. It had been said that the education at Parkhurst was not carried far enough. It was quite true that there they did not attempt to educate the boys highly—for instance, they did not go into cubic equations—but they were taught to read, and to write, and to cypher, to an extent that would be useful to them when liberated. It was a mistake to over-educate. Then it had been said that the boys were idle at their work, and had no heart in it. To this he would answer that this was not the case generally, though a single gang might have been standing still when a particular individual was looking on. It was objected to the warders that they wore their coats buttoned up, instead of digging with the boys. He (Captain O'Brien) was glad to hear it, as, if the warder had been engaged at hard labour himself, it was quite impossible he could superintend the conduct of the prisoners in his gang. It was also asserted that the prisoners would assuredly run away if there were not sentries with loaded firelocks hard by to shoot them if they attempted it. The reply to this assertion was, that for nearly two years no sentries whatever came upon the premises, or in any way acted as a guard upon the boys. Such were among the allegations made; they were groundless, and showed the animus which prevailed against the establishment, which he believed to be conducted by the local authorities—he meant the governor, the chaplains, and the subordinate staff—with firmness, kindness, discretion, and efficiency. To return, however, to the more general question before the meeting, he would recommend the perusal of the evidence taken before Mr. Baines's Committee of the House of Commons, which sat in 1851 and 1852, and though there would be found great diversity of opinion in that evidence upon matters of small detail, but little diversity would appear, among those who were practically conversant with the whole subject, upon questions of principle.

Mr. W. A. SHIELDS (Master of the Peckham Birkbeck Schools), as one engaged in education, wished to make a remark or two upon what had fallen from various speakers with regard to the punishment of juvenile criminals. They had had those children brought before them as incorrigibles, and one gentlemen called for a sharp, stinging punishment, and another insisted upon a mild treatment. He took it that it was not a fact that the bulk of these children under 12 years of age could fairly be called incorrigibles, which no human means could turn or correct. It was different to dealing with a man hardened in crime. He (Mr Shields), was opposed to

vindictive punishment, considering, as he did, that the true object of punishment was to prevent the repetition of the offence. He thought no one could for a moment justify the application of vindictive punishment to children in the sense in which that term was generally understood. He would call attention to another point. Not long ago the notion prevailed very much that it was impossible to conduct schools without this sharp punishment, but gentlemen connected with the Society of Arts, and who knew what was going on with regard to education, were aware that notion was fast dying away; and should they say that these little children, whose greatest crime was the neglect in which they found them, were not to be touched by the same kind of training as they bestowed upon their own children. If the son of parents who were of the class termed respectable were guilty of any irregularity in his employer's counting-house, it was more often than otherwise the case that, instead of handing over the offender to a policeman, he was transferred to the whole-some reformatory influence of home; but if, on going from this meeting, they found the hand of a young culprit in their pocket, they would not know what it was their duty to do in such a case. They must look at the source of the crime, and against this it was that the appliances must be brought to bear; and he thought he was within the question when he said he believed that in the reformatory teachings of these young criminals it must be brought to bear; that they must be met, not with the warder with his coat buttoned up, but with the warder with his coat off, and, if needs be, with his shirt sleeves tucked up—men who would exhibit to these young criminals the dignity and the pleasure of labour, and of existing by that labour. Then, again, he thought intellectual education was another step to that end. Give them a little education, it was said—that meant by a man of little skill in education, and no more. He (Mr. Shields) did not want that they should be instructed in cubic equations, but he wished, when it was perceived that the intellect of a boy had been unnaturally whetted, that a proper direction should be given to that intellect—that he should be taught that his notions of his duty towards society at large were mistaken notions. If they left that out they would still find in the juvenile offender a fear of the buttoned-up warder, and of the buttoned-up policeman. There was a great difference between the man who was honest because he liked honest courses, and the man who was honest because he feared their friend's vindictive punishment. As one engaged in education he had no hesitation in saying that to produce the higher result was the sure one. But they wanted men in prisons who understood education, and who would lay themselves out for the work, and would carry it on with all the kindness that they felt it desirable to exercise. Let them not be afraid of too much kindness to young offenders, and, above all, let them not appear amongst the advocates of the application of vindictive punishment to those whose errors might have arisen from the want of a training in the way in which they should go, and whose continuance in wrong doing had been because there was no helping hand to save them from that course.

LORD LYTTLETON said, having received from the Council of the Society an invitation to be present and to take part in this discussion, he was unwilling that it should close without offering a few words, although of course he was speaking under the disadvantage that he was unable to attend until about a quarter of an hour previously, and therefore did not hear the reading of the paper or a great part of the discussion that had followed upon it. At the same time, he had the advantage of a rather familiar acquaintance with Mr. Jelinger Symons, and, like most public men, he had read a great deal upon this subject. There was much to read about it, probably as much documentary evidence upon the subject as there could be any necessity for; and he had also some practical acquaintance with it, although it was very little. He felt, with Mr. Slaney, that it was much to be regretted

that there should be strong-felt differences of opinion upon first and essential principles, but such discussions as these were calculated to be of great service in bringing men's minds together on first principles, because all over the country this treatment of young offenders was at the present moment being more and more attended to. One thing, however, he was pleased with—that was, that whatever was done in these days was an improvement upon what had gone before, and he was not aware of anything having been done in this matter from which more good than harm had not resulted. But there was still a difference of opinion upon some of the main principles of the question, and, as he understood the difference, perhaps he might say the chief difference was that which had been treated of this evening, viz.:—how far the punitive or the reformatory principle should be kept in view. He agreed with Mr. Slaney, that in point of fact both were capable of being combined together in a certain manner; and as far as the enunciation of the general principle went he agreed with Mr. Slaney, and he (Lord Lyttelton) ventured to differ from Mr. Power on that point, inasmuch as he had understood that gentleman to say that the general principle he laid down was this—that young criminals, whatever that term might mean, were not to be punished at all, that punishment was not to enter into their treatment. As far as his (Lord Lyttelton's) opinion went, as an abstract principle he thought it was based upon fallacy. He remembered Mr. Power at Birmingham laying this down on this intelligible ground—that these young criminals had not sinned against society, but that society had sinned against them; but if that were the ground of action, he (Lord Lyttelton) thought it was going a little too far. It was an ancient principle of the English law that a little child—not only the class of children, but a little child—should be apprehended and brought before a magistrate for an offence of which he might be judged *incapacitate* on the ground of tenderness of years, but it could not be put upon the ground that the crime of that child was not to be imputed to it because of the fault of the education of the child. That certainly was not the principle of the English law, because, if so, it might go on during the whole of life, that that child during its whole life had never had a fair chance of knowing what crime was; but nobody, he thought, would maintain that an individual was to be treated in that light throughout the whole of his life, and he did not see how they were to escape from the application of it to children that crime was to be punished, nor did he see how the matter was to be treated differently in the one case to the other. In some cases punishment might be dispensed with, and in other cases the quality of the punishment might require to be varied, but he agreed with Mr. Symons upon this point, whilst he differed with Mr. Power and other gentlemen who had spoken. But what he looked upon as the practical argument on this subject was that the differences of opinion might, after all, be in the theoretic and abstract way of stating the question, rather than in the application of it. He believed it might be found that there was more agreement upon that point than they were at present disposed to think was the case. Those who were acquainted with the voluminous evidence that had been given on this subject, and he might mention, in particular, the evidence of a great authority on this subject, Mr. M. D. Hill, of Birmingham, would remember that this had been frequently stated, that it was in itself a punishment to a child who had been brought up all his life in lawless habits, to be taken to one of the reformatory institutions, where he was obliged to conform to habits of regularity and order, and to pursue a system of hard labour only. In this view, therefore, those who differed in the abstract principle might agree. In the reformatory institutions the young criminals might be brought to abandon their bad courses and take to good ones, and the application of the punitive principle would, perhaps, form the best application of the reformatory

principle. That was, perhaps, the manner in which the question could be best treated; at the same time he could lay down no positive rule for its application, as it might be a matter left within the discretion of the managers of reformatory institutions. But if the broad principle was to be argued, he certainly held to that which had always been a received principle, viz., that crime, where it was crime, whether of one age or another, was to be visited with punishment.

Mr. Power—I beg to say that I have no objection to any amount of punishment, so long as it is directed to the reformation of the offender. What I oppose is vindictive punishment, which has not reference to the reformation of the offender, but merely as some atonement to society, which he has offended.

Mr. Muntz, M.P., remarked, that this was an important question, and also a difficult one, and he doubted very much whether any one man was competent to give a correct opinion upon it, unless he had had great experience in the management of men and boys, and had had a family of his own. The difference consisted between organisation and education, and he thought in dealing with this question, sufficient consideration had not been given to organisation. He had for fifty years superintended a large body of workmen and children, and for nearly forty years he had superintended a large family of his own; and his opinion was, that the treatment of all the parties must be regulated according to their individual organisation. If they attempted to treat a body of men or children all upon the same principle, they would fail in their object, because what would do in one case would not do in another. He had had people in his employ from boyhood to manhood, and had hardly had occasion to find a fault with them, whilst on the other hand he had had people whom nothing would make do right; and, therefore, if it were a question of education, why did not the same truth applied to one produce the same effects when applied to all? Even in the domestic circle of a man's own family the same remark applied, as it was frequently found, that although a whole family might be educated upon the same system and upon the same principles, yet the effects of that education were differently manifested in different organisations. With some people flogging would only tend to increase the evil, whilst there were others of whom it might be said their brains could only be reached through their skins. He therefore cautioned the meeting and the country not to attempt to go upon the principle of treating all those young criminals in the same way, in the hope of reformatory results. If they did, they would signally fail in their object, and, instead of making them good members of society, they would only make them confirmed thieves.

* In a note to the Secretary, Mr. W. Bridges Adams, who was unable to address the meeting, remarks that Mr. Muntz was undoubtedly right in asserting that different natures required different modes of treatment, but his illustration, that some of his own family were guided as by a silken thread, while others required thrashing to keep them in order, did not prove Mr. Muntz a thorough-going philosopher. It only proved that, like the owners of niggers in Uncle Sam's republic, he was anxious to exercise his power to make the weaker being do his bidding and "be good" after his fashion. The boy had native aptitudes for something which Mr. Muntz determined it should be kept in contact with silex, in a condition of constant repulsion. Probably the boy had strong physical energy, which would have found more relief in the factory than in the school. The American schoolmaster, when the impatient pupil day after day would whittle the forms and desks to pieces, gave vent to his ruling passion by setting him to chop firewood in the cellar for an hour. When, his high-pressure steam being blown off, he settled down quietly as an A-B-C-darian. Stephen Gerard, the Philadelphia millionaire, always liked quarrelsome people for clerks, on account of their energy, but he put them to work in separate offices, and said they were his best men.

The CHAIRMAN said, whatever differences of opinion might prevail on this subject in the various phases in which it had been presented to their notice, he felt assured that on one point at least they would be perfectly unanimous, viz., in according to Mr. Symons a cordial vote of thanks for his very able paper.

Mr. Symons, having acknowledged the compliment paid him, said, his friend Mr. Power had expressed his views with more force than he had ever heard him before. One remark made by that gentleman was important. He imagined that punishment was regarded as some atonement on the part of the child towards society. That was a mistake which he hoped no one would carry away; that was not the object; the object was in some degree the reformation of the offender, but in a higher degree the protection of society. He thought society ought to be protected from juvenile as well as from adult offenders. A very great deal had been said by Mr. Slaney, Mr. Muntz, and other gentlemen, as to diverse treatment of diverse children of different capacities, and feelings, and degrees of crime. He agreed with that, but he stated in his paper that the very institutions such as he had recommended, formed upon the model of Parkhurst, but in some respects improved, would admit of that apportionment of punishment, and of corrective and reformatory discipline according to the character and the crime of the children. If these establishments did not effect that they would fail in one of the great objects of their institution. One word with regard to what had fallen from Lord Lyttelton. He agreed with his lordship in the views he had expressed, which were entirely in accordance with his own up to a certain point; but when his lordship said that under any circumstances it would be sufficient punishment that a child should be taken from his disolute habits, and placed under a discipline which should prevent the indulgence of these habits, he (Mr. Symons) dissented from that proposition, although he need not say there was no one whose opinions he more respected, or were entitled to greater weight than were those of his lordship. It was no more than they would do with their own children, if they took them from a course of undue freedom; but society in the case of young criminals required a punishment *dehors* that restraint to which a child would be subject under the parental roof.

The Secretary announced that there would be a *Special Meeting* on the evening of Monday next, the 7th instant, for the purpose of resuming the discussion upon Colonel Cotton's paper, "On Public Works for India." Also, that on Wednesday next, the 9th inst., the paper to be read would be, "On the Manufacture of Steel as carried on in this and other Countries," by Mr. Charles Sanderson, of Sheffield.

* * The Secretary is requested to state that it has been found impossible to accede to the request made at the meeting that an extra evening should be appointed for the further discussion of the question of "Juvenile Offenders."

Home Correspondence.

RAILWAYS AND CANALS IN INDIA.

SIR,—Seldom has the arena of the Society of Arts presented a more important subject than that treated of by the paper and discussion of Wednesday last, and not often has a subject been more earnestly discussed. The very expression of Colonel Cotton's face betokened a man loving truth, beneficent as well as benevolent, and if not

thoroughly benescent, still many-sided if not all sided, and erring only from an intensity of desire to do good.

In this earnestness he has set up an opposition of canals *v.* railroads, as though the advent of railways would absorb the whole amount of money seeking for employment, and leave no capital for the canals. It has been said of the citizens of the United States, that they consider liberty to be like a quatern loaf—if any one else gets a slice, there will be less left for themselves. Colonel Cotton's reasoning would seem to be of the same fashion. He regards railroads with fear, as a most expensive luxury, preventing the extension of works of large utility—canals—having reference both to irrigation and transport.

Canals are but another word for rivers, placed in new channels. Why is the new channel needed? The river, as its name imports, is a river, or cutter, of the earth's surface, which is riven by it. By sudden floods of rain or of melted snows, it rushes down declivities in straight lines, till it meets with obstacles, in the shape of rocks or of hard ground, or till it makes obstacles by piling up and depositing its debris along its course, when it bursts its bank to right or left, and becomes sinuous. Thus it is that rivers take curved courses, make deeps and shallows along these courses, and finally make deltas on the ocean margin. The tendency of the water is to level the ground by raising it, and, then escaping, to make a new level, very like the artificial process of making a railway embankment. If the course of the river were straightened, and the shallows deepened, the same process would be renewed if the river were constantly subject to alternate flood and drought and if a canal were cut, the same result would take place, unless it could be kept out of the reach of floods.

The first thing in all cases to be done in a warm climate like India—and without which material wealth cannot exist, and navigable canals and railways would be alike useless—the first thing is to procure water wherewith to irrigate the land. Sun, water, and earth or sand, are the three elements of vegetable wealth, and without these in conjunction, a tropical climate is ever a desert. In the mountain-girdled hot valley of Aconcagua, in Chilé, the finest wheat the world produces is a result of irrigation from the artificially-conducted melted snows, and, what is remarkable, a rainy season, *i.e.*, in a fortnight's rain, the rain produced mildewed ears and a bad crop. I do not know if such be a result in India, but there can be no doubt that irrigation, as the means of producing food and other crops, comes before canal navigation as the means of transporting crops. And it is probable that if the means existed of lifting the water from the river directly on to the dry land, there is enough of the latter to absorb the whole of the former, in the dry season, for useful consumption.

But if there be water enough left for the purposes of navigation, of course it can be used, though the first object of the canal should be irrigation.

Colonel Cotton assumes that railways in India are to cost £10,000 per single mile. They may be made to cost that, or more, but it is an undoubted fact that a mile of permanent way—really permanent—and of the best materials, can, at the present prices of iron, and at the present high freights, be landed in India for about £2,400, and complete permanent way, such as the commonest labourer of India can lay down in the levelled ground, without chance of error, including extras for sidings, crossings, &c. If we take £1,000 per mile for rolling stock that will only amount to £3,400; and if canals are made, earthwork must be done, and huts made, and boats built, and reservoirs provided, and even then the navigation will not be brought alongside peoples doors, and gardens, and fields, as may be the case with the railway; and, therefore, Colonel Cotton proposes, in addition to the canal, "to lay down light railways by thousands of miles in all the populous parts of India, which can be done without any difficulty." This brings us to the question of what is a railway, and what a light railway?

A railway is, or should be, two straight parallel lines of iron, so strong vertically and laterally that they will not alter their form, either temporarily or permanently, under the pressure of the rolling loads, provided those loads be not calculated to crush or laminate the iron. The structure of the rail, moreover, should be such as not to offer mischievous leverage, or facilitate displacement by the side blows of the wheels, *i. e.*, the tread of the wheels should be as little as possible elevated above the bearing surface, while the depth of the rail should descend into the ground, as the keel of a ship does, to hold it firm and prevent its rocking or going to leeward; and the joints of the rails should be so arranged as to make the strength equal and continuous throughout the whole line. Complying with these conditions there will be a railway in the proper sense of the term—lacking these conditions the whole thing will be a misnomer.

Whether light or heavy, the same conditions must exist. If rails deflect, vertically or laterally, under an engine, the power will be wasted, and the maintenance costly. If it be an animal power railway, and the rails deflect under too heavy waggons, the same mischievous results will occur. The datum waggon should first be constructed as lightly as may be consistent with strength and with the minimum of friction at the axles and the circumference of the wheels. The load the horse can take up the worst gradient should then be ascertained, and the strength of the rail settled accordingly. If it be desired to run the same waggon on the road and on the rail, the wheel should be made with two tyres, and a groove between for the edge rail to lie in. And if light railway-trucks be used, the wheels should all separately revolve on their axles: and, moreover, efficient springs should be applied, or light rails will very soon be out of order. It is desirable not to have any timber at all on such railways. If rails are laid on cross-timber sleepers, either the sleepers must be buried in the ground, when considerable labour will be incurred, or they will be rapidly destroyed by the cattle tripping over them. If timber be used at all, it should be merely in detached blocks, and not as part of structure—merely as a ballast of wood, where other suitable material is difficult to get. The railway, light though it be, must be as perfect in all its parts as the heavy one, or the desirable result of reducing wheel traction by railway to the minimum, will not be attained. If timber is to be sent from England it will be a bulky substance, and costly in freight; if it is to be manufactured in India, skilled labour will be expensive. To answer the purpose required the railway must be of few parts, easily put together without blunder, and capable of firm fixing. And it will not do to use any turntables, or points, or crossings, such as are used on locomotive lines, where skilled labour exists for repairs. The proper kind of crossing, or turn-out from one line to another, is a flat pavement, or boarded floor or platform, whereon the rails finish with sharp points, so that the wheels may be easily entered. Light four-wheeled spring trucks, run on to the pavement, may, by lifting one end of them, be easily turned round; but if the levels are to be disregarded, the question of breaks on descending inclines will require attention.

I can quite agree with Colonel Cotton that one chief end to be had in view is the increasing wealth and comfort of the Indian population, but it is doubtful if this end can be attained quickly by civilising downwards. If, for example, travelling and locomotion were very much more tedious and costly than it now is, the number of intelligent travellers and settlers would be proportionately reduced. And it is only by increasing facilities that the numbers of intelligent people can be made to increase. And to enable these intelligent people to travel, and to carry troops to put down outbreaks, there is no means to compare with the railway. And time is a large element in the amount of human happiness and energy. It is doubtful what Colonel Cotton means by "high speed," ten, twenty, fifty, or seventy miles per hour. Ten miles

is high speed compared with a bullock waggon. The question resolves itself into one of cost. If sixty miles per hour could be attained with no more cost than the transit by oxen there would be little objection to it. Now high-speed cost is relative, not positive. Light engines and trains can travel quite as fast as heavy ones, and do no damage. The damage is the speed and weight together, and with light weights there is no damage.

Man does not live by bread alone. The bucolic state, the bucolic condition of plenteous food, tethered to a fixed spot will not constitute even Indian happiness. To be secured against starvation is doubtless a considerable good, but abundance of corn is no more a final end than abundance of potatoes. A leavening of wealthy people, surrounded by beauty and pleasant appliances, teaches poor men to aspire, and makes them long to traffic in their common superfluities. And the very life of commerce is rapid transit—if not for goods—for passengers. Rightly made, the interest on the outlay for 5000 miles of railway would not much exceed a million per annum to be paid by the people of India, and amply repaid to them in the shape of work and traffic, which otherwise would not exist. The comparison of the steam-boat traffic of the Hudson river with the rail traffic of the New York and Albany, is not to the point. A large and ever full river, with powerful fast steamers may be cheaper, and certainly is pleasanter, than the railway cars of the Union, but the comparison would not hold good with the railway and the miserable slow boats in the Erie, or dreary canal, a mode of travelling at four cents per mile, meals included, which Englishmen, at least, do not like a second time; and from Glasgow to Greenock, with a river like a canal, and in some other instances, the rail will not let the river traffic live. The locomotive engine returned from Cuba, and put into the steam-boat, in order to rival the locomotive ashore, which the wiseacre manager deemed the secret of the speed, settled that question.

It is doubtful if one evening more will be sufficient to carry out all the important points of this great subject.

I am, Sir,

Yours faithfully,

W. BRIDGES ADAMS.

1, Adam-street, Adelphi,
April 28, 1855.

The question of the Ghaut ascents I will discuss at a future time.

Proceedings of Institutions.

HAMPTON.—A concert was given on Thursday evening, April 12th, in one of the rooms of the Hampton Endowed Schools, by permission of the trustees, by Mr. L. W. Wüstemann, organist, in aid of the funds of the Literary Society. The concert was very numerously attended. The performers were, with but few exceptions, inhabitants of Hampton and the neighbourhood, pupils of Mr. Wüstemann. Mr. F. Wüstemann performed on the flute. Mr. L. W. Wüstemann's daughter, aged 13, played a fantasia on the pianoforte, in a very pleasing manner. The solo songs of Madame Schürer and Mr. L. Wüstemann were much applauded. The president, T. H. Holbreton, Esq., tendered the thanks of the society to Mr. Wüstemann, which having been responded to, the meeting separated.

To Correspondents.

DISCUSSION ON COLONEL COTTON'S PAPER "ON PUBLIC WORKS FOR INDIA."

The remarks made by Colonel Sykes on this subject were not fully given in last week's number of the Journal. The concluding portion of his address was as follows:—

COLONEL SYKES (in continuation) said, Colleges for the instruction of civil engineers were established under the different governments. Great sums of money had been, and were now being, laid out upon public works in India. Amongst other sums authorised during late years (and they must bear in mind that it was only about 26 years since railways were first established in England, and they were now only in 1855) there had been a guarantee given of 5 per cent. upon £10,000,000 of money for railways in Bengal, and he fancied it would be well for some of the gentlemen present, if they could get that guarantee upon their railway property in this country. With the lines already in progress, and those sanctioned for Madras, Bombay, and Scinde, the government guarantee extended over an amount of £17,000,000; that, he thought, was tolerably liberal, more liberal than he should have been inclined to be. Then, again, within the short period of two years, a sum of £150,000 had been laid out upon the establishment of the electric telegraph in India. That telegraph had been completed in a marvellous manner, connecting the three presidencies of India, so that the governor-general, when at Neigherries, had an unbroken and instantaneous communication with all the presidencies of India. The next great work was the Ganges canal, for the purposes of irrigation; upon that work £1,800,000 had been expended, and it was now in operation for the irrigation of the country. With regard to the Punjab, canals had been begun there, but it must be remembered that we had only had possession of that territory four or five years; nevertheless, £500,000 was being expended upon canals for irrigation. Then there were the works of irrigation upon the Kistnah river, to which £150,000 had been allotted; and £150,000 had been spent for irrigation from the Godavery, £50,000 for the Cauvery, and there was a bridge proposed over the Hoogly, at Calcutta, at the cost of £400,000. Again, the trigonometrical survey, which was of the highest importance to India, had been effected at a cost of £500,000, so that the total outlay within a short time, had been £20,700,000, and yet Colonel Cotton had said in his paper that "nothing had really been done towards the two great objects, viz., of irrigation, and opening out the resources of India." He would ask whether that was a fair statement to make, and whether it was borne out by the facts? He had marked other points for notice, but he had already occupied too much of their time, and would therefore close with thanking the meeting for their obliging attention.

MEETINGS FOR THE ENSUING WEEK.

- MON.** Royal Inst., 2. General Monthly Meeting. Society of Arts, 8. *Special.* Discussion on Colonel Cotton's paper, "On Public Works for India." Architects, 8. Chemical, 8. Entomological, 8.
- TUES.** Horticultural, 3. Royal Inst. 3. Dr. Tyndall, "On Voltaic Electricity." Syro-Egyptian, 7½. 1. Mr. Samuel Sharpe, "Notes on Syria." 2. Mr. Harle, "On Nergal." Civil Engineers, 8. Discussion on Mr. Barton's paper "On the Economic Distribution of Material in the sides or vertical portion of Wrought Iron Beams." Med and Chirurg., 8½. Zoological, 9.
- WED.** Literary Fund, 3. Royal Soc. Literature, 4½. Society of Arts, 8. Mr. Charles Sanderson, "On the Manufacture of Steel as carried on in this and other Countries." Graphic, 8. Ethnological, 8½.
- THURS.** Royal Inst. 3. Mr. G. Scharf, jun., "On Christian Art." Antiquaries, 8. Royal, 8½.
- FRI.** Astronomical, 8. Philological, 8. Royal Inst., 8½. Mr. Henry Bradbury, "On Nature Printing."
- SAT.** Royal Inst., 3. Dr. Du Bois Reymond, "On Electro-Physiology." Royal Botanic, 3½. Medical, 8.

PARLIAMENTARY REPORTS.

SESSIONAL PRINTED PAPERS.

Delivered on 25th of April, 1855.

Par. No.

138. Superannuations (Public Offices)—Account.
 176. Immigrants and Liberated Africans—Return.
 192. Exchequer Bonds—Account.
 186. Agents of Transports—Return.
 84. Bills—Loan.
 85. Bills—Stamp Duties (Drafts on Bankers).
 86. Bills—Income Tax.
 88. Bills—Customs Duties.
 Australian Colonies (Alterations in the Constitutions)—Further Papers.
 County Courts—First Report of the Commissioners.
Delivered on 26th of April, 1855.
 140. Civil Service Estimates—Classes 3 and 5.
 193. Committee of Selection—Tenth Report.
 87. Bill—Spirit Duties (Scotland and Ireland).
Delivered on 21th of April, 1855.
 140. Civil Service Estimates—Class 4.
 167. Education—Tabular Statement of Expenditure.
 183. East India—Co. of Letter.
 188. River Harrow—Report.
 191. Spirits—Returns.
Delivered on 28th and 30th April, 1855.
 125 (1). Metropolitan Water Companies (Lambeth Company)—Report.
 172. Poor Relief (Scotland)—Return.
 176. Weights and Measures—Abstract of Report of the Commissioners.
 189. Tithe Rent Charge (Ireland)—Abstract of Return.
 175. Metropolitan Commission of Sewers—Account.
 194. Oak Bark (Alice Holt Forest)—Return.
 198. Turnpike Trusts (Ireland)—Copy of Commission.
 198. Hampton Court and Kew Gardens—Return.
 90. Bills—Public Libraries and Museums (as amended by the Committee, and on Re-commitment).
 91. Bills—Church Rates Abolition (No. 2).
 89. Bills—Metropolitan Buildings.
 Colonial Possessions—Reports.
 Prisons—20th Report of the Inspectors (Scotland). Part 4.
 Turnpike Trusts—3rd Report by the Secretary of State.

PATENT LAW AMENDMENT ACT, 1852.

APPLICATIONS FOR PATENTS AND PROTECTION ALLOWED.

*[From Gazette, April 27th, 1855.]**Dated 8th March, 1855.*

496. P. M. Parsons, Duke-street, Adelphi—Fire-arms and projectiles.
Dated 7th March, 1855.
 506. J. H. Johnson, 47, Lincoln's-inn-fields—Hard india-rubber. (A communication.)
Dated 14th March, 1855.
 572. E. V. Gardner, 24, Norfolk-street, Middlesex Hospital—Smoke prevention and economy of fuel.
Dated 26th March, 1855.
 657. J. B. Dechanet and A. D. Sisco, Paris—Metallic tubes and pipes.
 659. J. Gedge, 4, Wellington-street South—Gloves. (A communication.)
 661. J. Britten, Birmingham—Chimney sweeping machine.
 663. J. Mc Kinnel, Glasgow—Ventilation.
 665. W. Bartlett, Birmingham—Ventilators.
 669. O. R. Burnham, New York—Projectiles.
 671. J. Marland, Leeds—Preparing, sizing, and warping yarn.
 673. J. Shaw and J. Fielding, Leeds, and L. Harrop, Oldham—Spinning machinery.
Dated 27th March, 1855.
 675. J. Gedge, 4, Wellington-street South—Transferring designs to fabrics or to paper. (A communication.)
 677. C. Goodyear, Paris—Moulding india-rubber and gutta-percha. (A communication.)
 679. A. Turner, Leicester—Elastic fabrics.
Dated 11th April, 1855.
 792. J. Edge, Bolton-le-Moors—Steam engines.
 794. C. Blunt, Wansstead, and Dr. J. J. W. Watson, Wandsworth—Artificial fuel.
 796. J. Alderman, Denmark-street—Adjustable couches, chairs, &c.
 798. F. S. Hemming, Birkenhead—Buildings.
 802. G. F. Wilson, C. A. Hanson, and J. J. Wallis, Vauxhall—Camp candles and candle lamps.
 804. G. F. Wilson and G. Payne, Vauxhall—Ornamenting glass.

Dated 12th April, 1855.

810. F. Wilhelmy, Paris—Border paddles for steam-boat wheels.
 812. W. Terry, Birmingham—Breech-loading fire-arms.
 814. J. Lalernan, Lille—Combing flax. (A communication.)
Dated 13th April, 1855.
 816. J. Templeton, Glasgow—Pile fabrics.
 818. J. Revell, Dukinfield—Propelling vessels.
 820. J. Jarman, Masborough—Horse shoes.
 822. T. Hill, Walsall—Nails. (A communication.)
Dated 14th April, 1855.
 824. J. Denoual, Jersey—Enveloping medicinal preparations with soluble substances.
 826. W. Gossage, Widnes—Soap.
 828. W. Reid, Holehouse Neilston, Renfrew—Finishing textile fabrics.
 830. G. J. Sculfort, Mauberge—Screw-wrenches.
Dated 16th April, 1855.
 832. R. M. Ordish, Copenhagen—Permanent way.
 834. H. Holmes, M.D., Clifton road, Maida-vale—Treating the human body by gases, vapours, and electricity.
 836. J. Cowley, Quenington Mills, Gloucestershire, and D. P. Sullivan, Stockwell—Paper.
 838. W. Bull, Lupus-street, Pimlico—Axle bearings and axles.
Dated 17th April, 1855.
 840. P. A. le Comte de Fontaine Moreau, 4, South-street, Finsbury—Nails, bolts, rivets, &c. (A communication.)
 842. R. Milligan, Harden, Bugley—Wool, mohair, or alpaca fabrics.
 844. C. Crapelet, Montmartre—Tompson for cannon and other fire-arms.
 846. P. Levy, Edinburgh—Wrapper.
 848. C. Foster, Warrington—Railway signals.

INVENTIONS WITH COMPLETE SPECIFICATIONS FILED.

893. H. Schoofs, St. Gilles, near Brussels—Making, fixing, or attaching artificial teeth, gums, and palates.—21st April, 1855.
 909. H. J. Iliffe and J. Newman, Birmingham—Manufacture of covered buttons.—23rd April, 1855.

WEEKLY LIST OF PATENTS SEALED.

Sealed April 27th, 1855.

2302. Oliver Maggs, Bourton, Dorset—Improvements in portable steam engines.
 2303. Gustave Hermann Lille, Amelia-villas, De Beauvoir-grove, Kingsland—A new material for the manufacture of paper.
 2321. James Rae, 1, Alpha-road, New-cross—Improvements in machinery or apparatus for assisting in propelling vessels.
 2332. Nathaniel Topp, John Holt, and John Partington, Farnworth—Improvements in hand mules for spinning.
 2333. Isidore Alexandre Moineau, and Jean Gustave Lemasson, Paris—Improvements in elastic mattresses and seats.
 2354. William Henry Voxhouse, Parliament-street—An improved meter for water and other liquids.
 2670. Auguste François Joseph Favre, Paris—A new machine for beating precious metals, applicable to leather and to forging.
 313. Edward Sparkhall, 142, Cheapside—Improvements in the exhibition of pictorial representations of various subjects.
 472. William Hunt, Tipton—Improvements in utilizing certain compounds produced in the process of galvanizing iron, and in the application of the same and similar compounds to certain useful purposes.
Sealed May 1st, 1855.
 2338. John Adcock, Marlborough-road, Dalston—The novel application of the stem or stalk of the tobacco leaf for various useful purposes.
 2343. Joseph Betteley, Liverpool—Improvements in the construction and manufacture of iron knees, and the application thereof for ship's fastenings.
 2345. James Wallace, Junior, Glasgow—Improvements in zincographic and lithographic printing.
 2352. Edward Hogg, Charles-street, Gateshead—Improvements in shot and shell.
 2393. John Wain, Greenacres-moor, Oldham—Improvements in certain machines for spinning and doubling cotton and other fibrous substances of the kinds commonly known as mules and turners.
 2495. John Simon Holland, Woolwich—Improvements in large and small fire-arms, and in the preparation of their charges.
 2646. Edward Strong, Carstairs—Improvements in removing and replacing the wheels and axles of locomotive engines and other rolling stock of railways.
 2763. Bernard Hughes, 3½ Donegal-place, Belfast—The better and more effectual heating of bakers' ovens.
 361. John Oxley, Beverley—Improvements in machinery for making wheels, or the various parts of which wheels are composed.
 381. George Nasmyth, Kennington—Improvements in preserving animal and vegetable matters.

WEEKLY LIST OF DESIGNS FOR ARTICLES OF UTILITY REGISTERED.

No. in the Register.	Date of Registration.	Title.	Proprietors' Name.	Address.
3710	April 26.	Portable Camp Bedstead	John Southgate.	76, Watling-street.
3711	"	{ Improved Apparatus for Freezing or } Iceing Creams, &c.	George Epitax and Levi Stead.	3, Pall mall. 97, Norton-street.